

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Criminal Misc. Application No. 733 of 2006

Sarvesh @ Sabnam W/o Shaukin
R/o Mohalla Awas Vikas Colony Jaspur
District- Udham Singh Nagar.....Applicant

Versus

1. State of Uttaranchal
2. Darshan Ram
S/o Shri Moti Ram
R/o Kripacharyapur, P.S. Jaspur
District Udham Singh Nagar.....Respondents.

Hon'ble Prafulla C. Pant, J

Heard Shri M.S. Pal, learned counsel for the applicant and learned A.G.A. for the State.

By means of this petition, moved under Section 482 of Code of Criminal Procedure, the petitioner has sought quashing of the proceedings arisen out of crime No. 1492 of 2005 under Section 363, 366, 376 I.P.C. and 3(2) V S.C. S.T. (Prevention of atrocities) Act, 1989, P.S. Jaspur, District Udham Singh Nagar.

Perusal of the First Information Report, shows that there are allegations against the accused persons that they abducted the grand daughter of the complainant and the accused persons (including the present petitioner), are doing business of selling the girls. The copy of the statement of victim Km. Reeta (Annexure – 4 with the petition), shows that she has alleged that after being abducted, rape was committed on her by one of the accused for several days. It is further alleged that she got pregnant.

Annexure – 1 shows that after investigation, charge sheet was filed against the accused persons.

After going through the papers on record, this Court is of the view that it is not a fit case in which interference is required in the proceedings of the criminal case arisen out of the aforesaid crime.

Accordingly, the petition under Section 482 of Cr.P.C. is dismissed in limine.

Dt. 08.09.2006
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(Prafulla C. Pant, J.)